

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

WILLIAM T. SMITH, II,	:	
	:	
Plaintiff,	:	CIVIL NO. 4:05-CV-1747
	:	
v.	:	(Judge Jones)
	:	
CO ROGER LUCAS, <u>et al.</u> ,	:	
	:	
Defendants.	:	

MEMORANDUM

September 26, 2007

THE BACKGROUND OF THIS MEMORANDUM IS AS FOLLOWS:

This matter is presently on the Court's October 2007 trial term. The trial is scheduled to take place in the United States Courthouse, Williamsport, Pennsylvania. All parties are represented by counsel.

Presently pending is Plaintiff William T. Smith, II's "Motion to Withdraw, End, and Discontinue [t]he [A]bove Captioned Matter with Prejudice" ("the Motion"). (Rec. Doc. 98). Therein, Plaintiff indicates that he does not wish to continue with this litigation due to recent adverse publicity (stemming from an unrelated criminal matter) and financial strains. Counsel for Defendants concurs in the Motion.

Accordingly, Smith's Motion will be construed as seeking voluntary dismissal pursuant to Federal Rule of Civil Procedure 41(a), and it will be granted. This action will be dismissed with prejudice. An appropriate Order shall issue.